Add to that hundreds of pay channels offered by the hugely successful cable, the satellite companies Direct and Dish as well as the increasing competition offered by the internet through streaming

video and advertising supported portals.

In 1975 when newspaper cross ownership was adopted, KTLA had a nine household share. I wish it were otherwise, but by 2001 when the FCC launched its Omnibus Rulemaking the share had shrunk to seven percent of the market. And in 2006 we're down to an average of 3.7 share of audience. Not a healthy trend, but all the other local stations are in a similar decline. The numbers speak volumes as to the increased consumer options and exponential growth of alternative media my colleague was mentioning before.

As mentioned, KTLA has always had to compete against the biggest names in broadcasting. Then as now, the formula is to differentiate our signal from the national broadcast networks and nationally delivered pay channels. We achieve this in great measure through our locally produced news. Today we broadcast 32 hours of locally produced news weekly. As you may recall, the tape of the Rodney King beating by the Los Angeles Police was first shown on KTLA.

Our competitors have far deeper pockets

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1	than the Tribune Company. The <i>LA Times</i> and KTLA have
2	worked together on special programs that have added
3	value to the communities of Los Angeles, and they have
4	led to policy changes and heightened awareness of the
5	social issues facing our community. KTLA reporter Ron
6	Olson based in the <i>LA Times</i> newsroom has provided
7	deeper coverage of local issues broken by the LA Times
8	and shared them with KTLA viewers who otherwise may
9	not have read the paper.
10	Among things we have done together are:
11	The Los Angeles Times published its forum
12	solving the high school dropout crises, just two weeks
13	ago on a Saturday;
14	The Los Angeles Times published its forum
15	solving the homeless crisis with Los Angeles Times
16	reporter Steve Lopez;
17	A KTLA excerpt from the Los Angeles Times
18	investigative report on alleged corruption at the
19	Chumash Indian Gambling Casino;
20	An excerpt from a series on the crises at
21	the local King Drew Medical Center which was a ${\it Los}$
22	Angeles Times' investigation that KTLA adopted for
23	television news viewers.
24	The <i>Los Angeles Times</i> has more reporters
25	than any television station could afford, especially

in the case of KTLA which has no television to our 1 advantage. KTLA News has been the recipient of leads 2 3 and stories that otherwise our reporters could never have reached or discovered on their own. KTLA has 4 5 widened the depth of the reporting of many of our 6 community issues by having the resources of a major 7 metropolitan newspaper. 8 The Los Angeles Times has benefitted from 9

KTLA's has benefitted from KTLA's wide audience in turning viewers into readers.

In closing, let me quote from the Federal Third Circuit's opinion of the FCC's most recent Omnibus Broadcast Rulemaking. Although critical of most of the Commission's criteria, the court stated, and I quote, "The Commission's decision not to retain a ban on newspaper/broadcast cross ownership is justified under section 202(h) and is supported by a record of evidence. " The court went on to write that newspaper/broadcast combinations can promote localism and a blanket prohibition of newspaper/broadcast combinations is not necessary to protect diversity.

We at KTLA and the Los Angeles Times could not agree more.

> Thank you very much for this opportunity. (Applause).

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1 MODERATOR RIVERA: Thank you. 2 Ms. Madison? 3 Good evening. My name is MS. MADISON: Paula Madison. I'm the President and General Manager 4 5 of KNBC, NBC's owned and operated television station 6 in Los Angles; Executive Vice President of Diversity 7 for NBC Universal. 8 Μy professional background is in 9 journalism with a particular focus on news reporting. I'm here today to 10 speak about the 11 fundamental and ongoing restructuring of America's 12 media marketplace in ways that were never even dreamt 13 of when the current local ownership rules were 14 The resulting and unprecedented competitive adopted. 15 pressures facing free over-the-air television 16 broadcasting and the likely consequences of these 17 marketplace forces on the ability of television broadcasters to remain viable and to continue serving 18 19 the communities of license. 20 As you listen to my remarks I ask you to 21 consider а few key facts about today's media 22 marketplace. The growth rate of local ad sales on 23 cable systems and the internet far exceeds the growth 24 rate of local advertising revenues on television 25 stations, even though advertising remains our key source of revenue.

The largest seller of local advertising on a video platform in many markets is no longer an overthe-air television station, but rather a cable operator that is unfettered by local ownership restrictions and has far more ad inventory to sell than a TV station.

More viewers watch cable programming networks during prime time on any given evening than watch the programming of the four major broadcast networks combined. And full video streaming on the internet is no viable and growing explosively, all of which expands viewer choices but also increases the competitive challenges facing TV broadcasters.

another key point in this debate. It's very expensive to produce and broadcast local news, particularly in a market as large as diverse as LA. To put this in perspective the Washington, D.C. DMA where many of you reside encompasses approximately 11,000 square miles. The Los Angeles DMA is nearly four times that size, 41,300 square miles encompassing seven counties, 90 cities and six microclimates. Just imagine the logistics and the costs involved in moving our news crews from one point to another in this market, not to

mention the sheer number of news stories that we follow each day.

Given the expense involved in producing local news it should come as no surprise that contrary to the big media is bad media assumption, over 90 percent of the daily local television news programs available over-the-air in Los Angeles are provided by the six largest media companies owning television stations in this market; Tribune, CBS, News Corp, NBC, Disney and Univision. The marketplace development I described above all post date the last modest revision of the TV Ownership Rule in 1999.

If the preservation of free over-the-air television remains an important policy objective of our government, it's imperative that the FCC examine its current local television ownership rules to determine whether they are in today's marketplace in fact serving the goals to be furthered by those rules: Vigorous economic competition, local focus and content diversity among media outlets.

It is undisputed that the audience for free over-the-air television is becoming increasingly fragmented by the shift of viewers to cable and now the internet. But neither cable operators nor internet based video services are subject to the affirmative

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public interest obligations imposed on television broadcasters, including the obligation to present programming that responds to local needs and interests. Television stations that can still afford to do so offer local news and other local programming because our audiences look to us for the kind of local programming they can't find anywhere else. Responding to these viewer needs not only satisfies our obligations as FCC licensees, it is also good business and it distinguishes us from our multi-channel and internet competitors.

The accomplishments of our news team at KNBC have been recognized through numerous prestigious industry awards, including Emmy, Golden Mike. Edward R. Morrow and Peabody awards. Independent research has consistently shown KNBC to be the market leader in time devoted to local politics, community reporting and local news in general. A majority of the news stories reported on our 5:00 p.m. news have not been read, seen or heard anywhere else.

We also serve our Hispanic audience well by offering news on both of our LA Spanish language stations. This is particularly important given the documented heavier reliance on free over-the-air television by Hispanics in America. But as I noted at

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1 the beginning of my remarks, this level of commitment 2 to local news is very expensive. Approximately 7,000 employees support NBC Universal's business of over-3 4 the-air broadcasting at the NBC and Telemundo networks and the commonly owned stations affiliated with each 5 6 network. This is an enormous commitment to over-the-7 air broadcasting. Even more importantly, more than 8 two-thirds of these employees are devoted to news at 9 either the national or local level. A remarkable 10 investment in a product with no repeat nor syndication 11 value. 12 The cost of producing local television 13 news programs steadily escalating at a time when 14 marketplace forces are moving advertising revenues 15 away from the very businesses, television stations, 16 that are most deeply committed to presenting local news to those media platforms that have no such 17 commitment. 18 19 I thank you very much for giving me the 20 opportunity to address you this evening. And I'll be more than happy to answer any questions you might 21 22 have. 23 MODERATOR RIVERA: Thank you very much. 24 (Applause). 25 MODERATOR RIVERA: Mr. Levy?

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1 MR. LEVY: Good evening. My name is 2 Sydney Levy. I am the Program Director of Media 3 Alliance, a 30 year old media resource and advocacy 4 center for media workers, a number of organizations 5 and social justice activists here in California. We 6 have organized standing room only town hall meetings 7 for media ownership with Commissioner Adelstein in San 8 Francisco in 2003 we rallied attendance to the FCC 9 localism hearing in Monterey in 2004 and we also 10 organized and rallied attendance to a previous town 11 hall meeting that happened here in LA less than five 12 weeks. And this is what we have learned from our 13 organizing. 14 That there are thousands of people, 15 thousands upon thousands of people here in California 16 that are interested in these issues and are opposed to 17 media consolidation. At the same time what I would 18 profound like to express is our concern 19 disappointment at the fact that this hearing today was 20 announced with less than one week notice. For us --21 (Applause). 22 MR. LEVY: Hold on. If you applaud, you're 23 taking off of my time so please wait. My clock is 24 ticking. 25 I will tell you one thing which is important. These hearings don't happen because there is an announcement on a website of the FCC. People come here because they're committed. But people come here because we in the community organize and explain, and bring people so that they can come and give one day off from work in the middle of the day to come, let alone move from one place to another in rush hour traffic.

know, word of mouth. We don't do that with the help of corporate media. I will give you one example from the LA Times where we wanted to put -- free press, actually wanted to put one ad announcing this hearing. The original price for the ad was \$25,000. When the LA Times found out about the content of the ad, the price went to \$40,000 and then \$117,000. It went down to \$40,000 only with the stipulation that the words "big media" be taken out.

Now I ask you, is this the kind of company, the Tribune, that we want to reward with gross ownership? I don't think so.

Now if the FCC is really interested in listening to the public, what I would ask you to do, I beg you to do, is release the times and dates and locations of all the remaining FCC hearings so that

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people can known ahead of time and people can come.

This is regarding the process.

Regarding specifically because I see my time ticking -- regarding media consolidation, I just want to present two examples of radio stations that are using the public airwaves irresponsibly but because they belong to such big companies, there is no way the communities can really make them be more responsible. There is no accountability.

One example, hopefully, you will here tonight if you haven't heard it already is here in LA. It's Academia Semillas del Pueblo. Now there has been a campaign of harassment by KABC, which is owned by Disney. Hopefully you will hear more. They have been called every name in the book: racist, cannibalist they have been called and there is no way to stop this kind of name calling, which is extremely anti-Mexican, extremely anti-immigrant.

I am coming from the Bay area and we have the same situation with a Clear Channel station, KNEW. I don't have time to give you the whole report that we produced when we monitored the station. I will just give you one example. Referring to under committed immigrants the word "vermin" was used 43 times in 40 minutes.

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Now, there is no way that we can go to KNEW and explain our situation. The Youth Media Council has tried for two years to have a meeting with KNEW. Two years. That's Clear Channel, by the way, and we haven't had any chance of having a meeting.

I really urge you to come to Oakland in California October 27th, all of you Commissioners and also listen from the people in Oakland what is happening there with our stations. We also have a lot of anti-immigrant bashing there from the radio, from Clear Channel the same way that you are going to hear today.

And as you come -- and I think I'm going to finish ahead of time which is good for you because you should have more time to speak. As you come please not only come ready to listen to the public, but please come ready also to tell us why are we now engaged in a media ownership proceeding when we really haven't addressed diversity or localism. The Localism Task Force, we haven't seen the results. We saw a transcript, but we haven't seen anything more except our report has been shelved. We really want to see those items handled first.

But please come to Oakland, hear from the public and give us an answer.

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1 Thank you. 2 MODERATOR RIVERA: Thank you. 3 (Applause). 4 MODERATOR RIVERA: Mr. Lempert 5 MR. LEMPERT: Good evening, Chairman 6 Martin and members of the Commission. Thank you for 7 coming to California for this hearing and thank you 8 for inviting Children Now to speak tonight. 9 I'm Ted Lempert, President of Children 10 Now, a national children's advocacy organization. And 11 our mission is to ensure that children are the top of 12 the policy priority. So I greatly appreciate the 13 opportunity to talk to you about how media ownership 14 rules have a profound impact on our nation's children. 15 As the FCC considers media ownership rules 16 it should not proceed without considering first and 17 foremost how children will be effected. Both Congress and the FCC have affirmed that children constitute a 18 19 unique audience that merits special consideration and 20 protection. Thus, the Commission has an obligation to 21 evaluate the consequences its decisions will have on 22 a child audience. 23 know, television is As you an 24 extraordinary powerful medium for the nation's

children. On average, kids watch almost three hours

of television per day. More than two-thirds of kids have a television in their bedroom. Virtually all children watch television before their first exposure to formal education. And by the time children graduate from high school, many will have spent more time in front of the TV than in the classroom.

Now some television can be helpful to kids, especially when we consider the role of educational informational programming which has been found to positively influence a child's readiness to start school and succeed.

rely solely on broadcast television and do not have access to cable or satellite television. That is why some argue that children's cable channels provide plenty of diversity. This programming is not available to almost one out of five children in this country.

Children Now has been concerned about the impact of media consolidation on children's programming since 2003 when the FCC announced it's plans to modify existing medial ownership rules. In order to inform the FCC's rulemaking then, Children Now conducted Big Media, Little Kids, the first study ever to examine the length between media consolidation

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and children's programming.

Children Now selected Los Angeles as a case study for this research because it is the second largest media market in the country and two duopoles existed among its TV stations in '03. Big Media, Little Kids compared the children's programming schedule from 1998 when the market's seven major commercial broadcast stations were owned by seven different companies to '03 when consolidation reduced the number to give.

The findings were striking suggesting that changes to ownership policies that allowed greater consolidation should have a serious negative impact on the availability and diversity of children's programming. Here's what Children Now study found:

First, the number of children series broadcast in Los Angeles decreased by nearly half from '98 to '03, Most of the decline occurred on three of the four stations that are part of media duopoly;

Second, from '98 to '03 the number of hours each week devoted to children's programming in Los Angeles decreased by more than 50 percent. And the largest decrease in these programming hours were on stations that are part of media duopoles, and;

Third, in '03 children's programs were

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1 almost four times more likely to be repurposed or 2 aired on more than one channel or network than they 3 And most repurposes occurred between were in 1998. 4 outlets that were owned by the same media companies. 5 The results of our '03 research study are 6 clear. Large media conglomerates in the Los Angeles 7 market did not serve children nearly as well as 8 individually owned stations. Large medial companies 9 broadcast fewer children series over fewer hours. The 10 greatest decreases in children's programs occurred on 11 duopoly stations. The results of our study leave 12 little doubt that media consolidation diminishes the 13 availability and diversity of programs for children. 14 It is important to note that this study 15 examined only the early stages of media consolidation. 16 We're currently updating and expanding our study to 17 include eight broadcast markets across the country. It's also critical to note that our '03 18 19 study focused on the quantity οf children's 20 programming. In an increasingly consolidated media 21 environment we must also focus on the quality of the 22 programming, especially the EI programming stations 23 used to satisfy the three hour guideline. 24 Children Now is extremely appreciative for

the FCC's leadership on their recently enacted digital

1 television rules protecting EI programming and we are 2 now going to be focusing on the quality of that 3 programming. 4 Given that broadcasters are trustees of 5 the public owned airwaves and the FCC and Congress 6 have recognized children as a special and unique 7 audience, it is important that both the quality and 8 quality of children's programming be addressed. 9 Finally, local programming for children, 10 research shows that locally produced educational 11 programming enhances civic engagement to the children 12 by teaching them about their diverse communities and 13 offering perspectives on local issues. Yet today 14 locally produced programming for children is virtually 15 nonexistent. In summary, children rely on broadcast 16 17 media to provide them with diverse programming that 18 enriches, educates and entertains. And we recognize 19 that quality television can be a tremendous benefit to 20 the child audience. However, our research shows that when greater media consolidation is allowed, the 21 children audience suffers. 22 23 Thank you. 24 MODERATOR RIVERA: Thank you, Mr. Lempert.

(Applause).

MODERATOR RIVERA: Mr. Joyce?

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MR. JOYCE: Chairman Martin. Commissioners, good evening. My name is James C. I'm the Vice President of the National Association of Broadcast Employees and Technicians, CWA. Our union represents 10,000 broadcast professionals at local TV and radio stations and at the networks throughout the country.

NABET is part of the Communications Workers of America. CWA also represents journalists through the Newspaper Guild and printers through the ITU, all of who will be profoundly affected by changes in the media ownership limits. And CWA's other 700,000 members rely on a diverse and vibrant media to be informed citizens in our democracy.

Our members know what happens when one company owns more than one TV station or a major TV station and a monopoly newspaper in the same market. The owner merges operations, slashes jobs and reduces the quantity and quality of the news. Los Angeles is a poster child for broadcast media concentration. Here we have one television triopoly and three duopoles. NABET members work at many of these stations.

NBC owns three television stations here,

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COURT REPORTERS AND TRANSCRIBERS 1323 RHODE ISLAND AVE., N.W. WASHINGTON, D.C. 20005-3701 KNBC and two Spanish language stations, KWHY and KBEA.

NBC acquired the Spanish language stations when it

purchased Telemundo. Within a year of that purchase

NBC merged the stations into one facility in Burbank.

They combined the technical operations, sales and

marketing operations and the newsroom operation. Ten

percent of the work force lost their jobs, most of

whom were Spanish speaking employees of Telemundo.

The consolidation has now extended into nearby markets as KWHY TV retransmits it programming to San Diego and Santa Barbara. Before NBC bought Telemundo each of the stations had a separate news operations. They were competitors. Now the news operations are commingled. Two assignment editors, one for English language KNBC and the other Spanish language stations coordinate coverage and send one crew to shot video for all three stations.

The two Spanish language stations often use the same reporter who carries a microphone with the logos from each station on separate sides of a mike flag. The reporter displays, for example, the KBEA letters when he's doing a standup for KBEA and then flips the microphone to read the exact same script when doing a standup for KWHY.

And NBC is taking consolidation one step

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1 further. It is creating a super desk to merge the 2 assignments desks of KNBC, KBEA, KWHY, the NBC network 3 and possibly CNBC and MSNBC. 4 On to Fox. Fox owns two stations here, KTTV channel 11 and KCOP channel 13. 5 Fox acquired 6 this duopoly when News Corp purchased Chris Craft. 7 After the acquisitions the stations merged 8 technical operations, cutting the number of 9 technicians and engineers by ten percent. 10 one general manager today, one news director and one 11 assignment editor overseeing both stations. While one 12 product crew sometimes covers the same story, KTTV and 13 KCOP have done a better job than NBC in maintaining 14 separate in-house production crews. 15 Next, Univision. It owns KMEX channel 34 16 and KFTR channel 46. After the merger the technical 17 operations were combined and ten percent of the 18 employees lost their jobs, including every technician 19 More recently KMEX cut staffing another 40 20 percent and replaced union employees with nonunion minimum wage workers in violation of the union 21 22 contract. 23 An investor group is now buying Univision. 24 The result of this purchase would be an additional 25 cross owned newspaper/TV properties here in LA and in

Phoenix and in Fresno and would result in violations of radio ownership rules from San Francisco, Dallas and Houston. It would also implicate a waiver in Puerto Rico and New York State.

In addition, Univision has requested reauthorization of a permanent waiver to the network representation rule which has allowed Univision to run its own internal ad agency stifling competition and job creation among Hispanic small businesses.

Finally, Viacom CBS owns KCAL channel 9 and KCBS channel 2. These stations extensively commingle sharing reporters and often airing the same news story. They even brand their news gathering vehicles to highlight the single news operations, I'm holding up a picture of one of their news vans that has the logos of both KCBS and KCAL on the van.

KCBS has cut jobs. They're represented by another union, the IBEW.

While these changes may be more efficient, they do not advance the goals of competition, diversity and localism. This is not good for democracy. The media owners claim they need to merge local operations to save the local TV and newspaper businesses. The local TV news is highly profitable with 50 percent margins. Newspapers typically earn 20

1 percent more. And media owners don't need common 2 ownership to maintain healthy news operations. 3 the transition to the digital broadcasting, local 4 stations can now and do broadcast multiple over-the-5 air programs creating new revenue and programming 6 opportunities. 7 One thing we know allowing for more common 8 ownership will not improve the quality and diversity 9 of local news coverage. We urge the Commission to 10 preserve strong structural limits to encourage the widest possible dissemination of information that is 11 12 still essential to a vibrant democracy. 13 Thank you. 14 (Applause). 15 MODERATOR RIVERA: Thank you, Mr. Joyce. 16 Mr. Do? 17 MR. DO: Good evening, Mr. Chairman and 18 panel of Commissioners. My name is Julian Do. I'm 19 the Co-Director of New America Media. New America Media is the country's first 20 and largest national collaboration of ethnic news 21 22 organizations founded by the non-profit Pacific News 23 Service in 1996. New America Media has headquarters in California where ethnic medias are the primary 24 25 source of news, information for over half of the

state's new ethnic majorities.

Our mission is to promote the editorial visibility and economic viability of these critical sectors of American journalism as a way to build inclusive public discourse in our increasingly diverse and global society. New America Media produces and advocates editorial content from ethnic media sectors and develops pioneering marketing service on behalf of corporations, foundations and non-profits who are targeting ethnic media's ethnic communities.

New America Media also distribute multilingual pollings to bring voices of ethnic audiences into national focus and organizing events to give ethnic media direct access to decision makers in governments, business and academic and foundation non-profit work.

About ten years ago Los Angeles by then was already one of the most diverse cities in America. Ethnic media programs on electronic media has been pretty dismissal. Sure, there were Univision channel 34 and Telemundo 52 and a number of Spanish radios. But the growing population of Asian communities like Chinese, Korean, Filipino and the Middle Eastern communities has been - has very limited media's presence.

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There has always been a hunger for news about local communities. But in a place like LA we are talking about what's happening not just in a general audience, but also in the African-American communities, what's happening in the Filipino communities and the Guatemalan community and so forth. Unfortunately, we are not getting that.

Adding more insult to the injuries when big mainstream media decided to do stories on the Cambodian or El Salvadoran communities, the stories tend to be about crimes or tragedies. Ethnic communities have been for years trying to engage mainstream medias about their communities and also as sources of insights for better reporting. Well, with media consolidations the situation has become worse. Our frustrations, a number of ethnic groups have resorted to satellite programs, however not all ethnic household could afford the cost of monthly fees which often average about \$50 to \$100 a month.

Today I would say the situations for a major market like LA has somewhat improvement, but for some and not for the others. There are now five public access Spanish language TV stations Telemundo, KAY -- and Television. Spanish language radio also has a big presence in LA but KLAX and KRCD and so on. So Spanish

language media is very well represented in LA.

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For other ethnic groups, KSCI channel 18 has been a unique multicultural TV station which offers Koreans, Chinese, Vietnamese and Filipino programming. Vietnamese programming also has limited access to air time on KHLAY channel 44. There are also Chinese, Korean and Vietnamese program on multilingual radio network in Pasadena in Orange County. But all in all, given the fact that LA has been the minority majority demographics news program in content has not reflected that. This is not just about fairness, but also on the basis of providing comprehensive news about our society.

About two years ago we had a power discussion between mainstream and ethnic medias on how do you cover a city like LA where the population is so diverse. Often times to the extent of covering news stories among ethnic communities, large walkout media tend to focus more on the sensational stories like tragedies or crimes. The conclusion was that, sure, there is no single media entity today that could provide comprehensive news coverage by our diversities. However, big media consolidation has made the situation even worse.

And all the powers agree that by expanding

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